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ATLANTIC CITY, N. J.

Definition of Terms. (Ord. 2, Feb. 6, 1914.)

ARTICLE 1. SECTION 1. That the terms "board," "this board" and "said board" shall be held to mean "The Bureau of Health of the City of Atlantic City;" that the words "persons," "owners," "tenant," "lessee," "occupant," "contractor," "party," "managers" and "officer" shall respectively be held to apply to and include, both severally and jointly each and all persons, owners, part owners, tenants, lessees, occupants, contractors, parties in interest, persons, boards, managers, officers and corporations who may sustain the relations or be in like position of any one or more thereof referred to in any ordinance or regulation; that the words "city," "this city," or "said city," wherever used, shall be held to mean the city of Atlantic City; that the word "permit" shall be construed to mean the permission in writing of this bureau, issued according to its ordinances, rules, and regulations.

SEC. 2. That the word "street" when herein used shall be held to include avenues, boardwalk, sidewalks, gutters, and public alleys; and the words "public places" shall be held to include parks, piers, pavilions, docks and wharves, and water, and open spaces thereto adjacent, and also public yards, grounds and areas, and all open spaces between buildings and streets; the word "rubbish" shall be held to include all the loose and decayed material and dirt-like substances that attends dirt or decay, or which accumulates from buildings, storing or cleaning; the word "garbage" shall be held to include every accumulation of animal or vegetable matter which attends the preparation, decay, dealing in or storage of meats, fish, fowl, birds or vegetables; and the word "dirt" shall be held to mean natural soil, earth or stone or mixtures of either or any of them.

Nuisances—Enumeration—Abatement. (Ord. 2, Feb. 6, 1914.)

ART. 2. SECTION 1. Whatever is dangerous to human health, or renders ground, water, air, or food dangerous or injurious to human health, and the following specific acts, conditions, and things are, each and all of them, hereby declared to constitute nuisances:

(a) The deposit or accumulation of any foul, decaying or putrescent substance or other offensive matter, in or upon any lot, street, or highway, or in or upon any public or private place; the storage of such foul, decaying or putrescent matter, in liquid or solid form, in any vault, cesspool or other receptacle; the overflow of any foul liquid or the escape of any gases to such an extent that the same or any of them shall become or be likely to become hazardous to health or shall by reason of offensive odors, become a source of discomfort to persons living in or passing by the vicinity thereof.

(b) A polluted well, spring or stream, or the pollution of any body of water used for drinking purposes.

(c) The maintenance of any privy vault or cesspool, unless by permit of this bureau under conditions hereinafter referred to.

(d) A building or a portion of a building occupied as a dwelling which is not lighted and ventilated by means of, at least, one window in each room, said window opening to the outer air.

(e) A building or portion of a building which is not provided with a plentiful supply of pure water.

(f) A building or portion of a building which is not provided with at least one water-closet (or sanitary privy when no sewer is available) for every two families.

(g) A building or a portion of a building which is not provided with one sink for each family, sink to be connected to the sewerage system or a properly constructed cesspool, if no sewer main is available.

(h) A building or portion of a building which is not provided with plumbing that is kept, at all times, in a sanitary condition.

(i) Renting or occupying any building or portion of a building, dwellings excepted, for any purpose whatsoever except such buildings or a portion of a building be provided with at least one water-closet for every 15 persons or fraction thereof, employed therein.

(j) The accumulation of manure, unless it be in a properly constructed fly-proof pit.

(k) The accumulation of water in which mosquito larvæ may breed.

(l) Any laundry that is used as a sleeping room or that is directly connected with a sleeping room that has not adequate external light or ventilation or that is not separated from living or sleeping rooms by plaster partitions or by other partitions equally impervious to gases.

(m) Any privy vault that is not watertight, as well as fly proof. All existing privy vaults on streets in which there is no sewer shall be changed within 30 days after the enactment hereof to comply with this provision or else a dry-earth system shall within such time be installed, such changes to be in accordance with the rules of the bureau of health.

(n) Any privy vault that is filled to within 1 foot of the top.

(o) Any privy that is not of substantial construction; or that is not fly proof, or that is not provided with a self-closing seat or seats, or that does not comply with all the rules of the bureau of health.

(p) Any premises not provided with a suitable water-closet or sanitary privy vault for all persons working therein.

(q) Any temporary privy vault, the contents of which are not kept covered at all times.

(r) Any full, foul, or leaking privy vault, cesspool, or receptacle for filth; any privy vault, cesspool, or catch basin which is beneath any dwelling or other building, or is attached to the foundation wall of any dwelling or other building.

(s) Allowing or permitting any night soil, garbage, or any offensive or decomposing solid or fluid matter or substance to leak or ooze from any cart, wagon, or vessel in which the same may be conveyed or carried.

(t) The carrying or conveying through any street of any substance which has been removed from any privy vault or cesspool, unless such substance shall be inclosed in an air-tight receptacle.

(u) Any unprotected drip, sink, or water-closet within any building or any other drainage appliance or fixture within any building, from which there shall arise any foul or obnoxious gas or odor.

(v) All sunken lands, marsh lands, and lots below grade, where stagnant water collects or is collected.

(w) The use of animal or vegetable substance, or garbage, or street sweepings, or any material that is offensive to health, or tends to decay, to become putrid or to render the atmosphere impure or unwholesome, for the purpose of filling up, or raising the surface of any lot, wharf, pier, street, or alley in this city, or any ground filled for the purpose of building thereon, unless pursuant to a special permit from this bureau.

(x) The keeping of refuse matter, shells from oysters, clams, or other shell fish for a period of time longer than 24 hours, unless stored in metal or concrete receptacles.

(y) Having in possession clams or oysters taken from waters of the thoroughfare condemned by the State board of health.

(z) The bringing into the city or the storage of rags, bones, scraps, or refuse matter liable to decay, except pursuant to a permit issued by this board, which permit shall be revocable by said bureau at any and all times.

Penalties.—Any person creating or maintaining or aiding in the creation or maintenance of any of the above-defined nuisances shall, upon conviction thereof, forfeit and pay for each offense a penalty of not more than \$100 and not less than \$10.

ART. 12. SECTION 1. If any person or persons shall refuse or neglect to remove any foul, obnoxious, or hurtful matter or thing, or if any person or persons shall refuse or

neglect to abate any nuisance, then this bureau may proceed under the provisions of an "Act to revise, consolidate boards of health in this State," approved March 31, 1887, and amendments and supplements thereto, to remove such nuisances, source of foulness, or cause of sickness, and to recover by action of debt against such person the expense incurred by this bureau in such removal.

Whenever on any premises within this city, anything in violation of any of the preceding sections of this code exists or is maintained, or whenever the condition of any premises is such as to call for the interference of this bureau, notice shall be served on the owner, agent, lessee, tenant, or occupant or other proper person by order of the health officer, which notice shall enable the person served therewith to know wherein any section of this code is violated or what is to be remedied and shall give not less than one day or more than 10 days (excepting sewer connections), for compliance with the provisions of said section or with the requirements of this bureau.

The following shall be the method of serving the notice:

Notice shall be served on the owner or owners personally if residing within the limits of the city of Atlantic City, or by leaving a copy of said notice at his or their usual place of abode with some member of the family over the age of 14. If the owner or owners reside outside of the limits of the city of Atlantic City, then it shall be sufficient notice, if a copy of said notice is posted in some conspicuous part of the premises upon which the alleged nuisance or cause of complaint exists—and by serving a copy of said notice upon the tenant.

Spitting—Prohibited in Public Places. (Ord. 2, Feb. 6, 1914.)

ART. 2. (a) Spitting upon the floor, platform, or any other part of a public conveyance, upon the floor, steps, or stairs of any public building, school, hall, church, store, shop, or railway station, upon the Boardwalk, upon the sidewalk of any public or private street, upon the pathway of any park, or in any other public place, is hereby declared to be a nuisance, and any person or persons creating such a nuisance shall, upon conviction thereof, forfeit and pay a penalty of not less than \$2 nor more than \$10 for each offense.

Domestic Animals—Keeping of, in City. (Ord. 2, Feb. 6, 1914.)

ART. 3. No corporation, person, or persons shall have or keep upon any premises in the city of Atlantic City any pigeons, ducks, geese, or fowl of any kind unless a permit be obtained from the bureau of health for that purpose, which permit shall be renewable annually, on or before the 1st day of January, and for each and every permit so issued the sum of \$1 shall be paid.

Such fowl shall not be permitted to run or fly at large, but shall be kept in a house or coop, with an inclosed runway, and when so ordered by the bureau of health said house or coop shall be floored beneath the roost with cement or other water-tight flooring.

All buildings or inclosures erected and maintained for the purpose of keeping fowls must be kept in a sanitary condition and under the supervision of the bureau of health.

In the event of offensive or obnoxious odors arising from buildings or inclosures where such fowls are kept, on complaint made to the bureau of health of same the owner of said animals or fowls shall be served with a notice to abate such nuisance within 10 days from date of service of such notice.

Under no conditions shall any person keep or allow to be kept in any dwelling house or part thereof any horse, cattle, swine, goats, or fowls.

Any corporation, person, or persons offending or violating any of the provisions of this section shall, on conviction thereof, forfeit and pay a penalty of not less than \$5 nor more than \$50, and the permit issued to such corporation, person, or persons so convicted shall, at the discretion of the director of the department of public safety, be revoked.